

REMARKS/ARGUMENTS

The Examiner restricted claims 1-9 and 10-22 as being directed to patentably distinct inventions. Applicant hereby elects without traverse to pursue Group I, claims 1-9. Accordingly, claims 10-22 are withdrawn herein. Applicant preserves its right to file one or more divisional applications for the subject matter of claims 10-22.

Claims 1-6 were rejected under Section 103 as being unpatentable over Barlow in view of Fassauer. Claims 7-9 were rejected under Section 103 as being unpatentable over Barlow and Fassauer, and further in view of Croft.

Applicant respectfully traverses both rejections under Section 103. For claims 1-6, there is no motivation or suggestion as indicated by the Examiner to combine the teachings of Barlow and Fassauer. Similarly, there is no motivation then to combine Croft with Barlow and Fassauer. At best, Croft is silent as to any upstream weighing or any other processing of powder or liquid material, and absent some suggestion in the references to combine Croft, Croft is best interpreted as a stand alone device not intended to be used within an overall processing system. Nonetheless, independent claim 1 has been amended to further recite structural features of a discharge device having a housing body and an inner tube with a gap separating an outer surface of the inner tube with an inner surface of the housing body. Additionally, the claimed inner tube and housing body terminate at substantially the same point in order to create a liquid curtain which surrounds the micro-ingredients. Even assuming it was obvious to combine the teachings

of Croft with Barlow and Fassauer, Croft clearly requires the distal end 5 of the feeder pipe 4 to terminate within the mixing zone 9 of the cylindrical duct 1.

This arrangement of the feeder pipe 4 and duct 1 ensures proper mixing. Placement of the downstream end of feeder pipe 4 coterminous with duct 1 would expressively defeat mixing. Therefore the rejections under §103 should be withdrawn.

New independent claims 25-27 have been added to further claim the present invention, and are allowable since they depend directly or indirectly from claim 1. New independent claim 28 cites a mix manifold including inlet ports disposed substantially parallel to a longitudinal axis of the manifold, as well as inlet ports disposed at an angle with respect to the longitudinal axis. Even if it were obvious to combine Croft with Barlow and Fassauer, Croft clearly fails to disclose the arrangement of the angled and parallel inlet ports. Rather, Croft only shows feeder pipe 4 and spray nozzles 6 disposed in a parallel direction with respect to the longitudinal axis of the duct 1, thus claim 28 should be allowed.

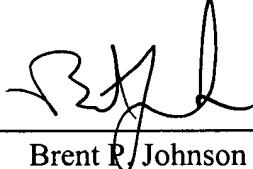
New independent claim 30 recites a pair of discharge devices attached in series, the second discharge device including at least one of a mix manifold and a static mixer. Even if it is obvious to combine Croft with Barlow and Fassauer, there is no disclosure within these references or any other of the references of record to provide a series of discharge devices. Thus claim 30 should be allowed. New dependent claims 29, 31, and 32 have been added. These claims should also be allowed as they depend from new claims 28 and 30.

*Application No. 10/633,463*

Applicant has made a sincere effort to place the application in a condition for allowance; therefore, such favorable action is earnestly solicited. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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